

Preliminary land Use Service (PLUS)

Delaware State Planning Coordination

540 S. DuPont Highway • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Please complete this "PLUS application in its entirety. **All questions must be answered. If a question is unknown at this time or not applicable, please explain.** Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090. Possible resources for completing the required information are as follows:

www.state.de.us/planning
www.dnrec.state.de.us/dnrec2000/
www.dnrec.state.de.us/DNRECeis/
datamil.udel.edu/
www.state.de.us/deptagri/

1. Project Title/Name: **Riverview**

2. Location: **East side of Walter's Bluff Road; South of Indian River Bay**

3. Parcel Identification #: **1-34-4-7.01**

4. County or Local Jurisdiction Name: **Sussex**

5. Owner's Name: **Indian River V, LLC**

Address: **4260 Highway One, Suite 6**

City: **Rehoboth Beach**

State: **Delaware**

Zip: **19971**

Phone: **302-226-9655**

Fax: **302-226-5083**

Email:

6. Applicant's Name: **Riverview, LLC**

Address: **4260 Highway One, Suite 6**

City: **Rehoboth Beach**

State: **Delaware**

Zip: **19971**

Phone: **302-226-9655**

Fax: **302-226-5083**

Email:

7. Engineer/Surveyor Name: **Vista Design Group, Inc.**

Address: **11634 Worchester Highway**

City: **Showell**

State: **MD**

Zip: **21862**

Phone: **410-352-3874**

Fax: **410-352-3875**

Email: **vistadesign@mchsi.com**

8. Please Designate a Contact Person, including phone number, for this Project: **Frank Kea (302)226-9655**

Information Regarding Site:	
9. Area of Project(Acres +/-): 79.432	
10. According to the State Strategies Map, in what Investment Strategy Level is the project located? <input type="checkbox"/> Community <input type="checkbox"/> Developing <input checked="" type="checkbox"/> Environmentally Sensitive <input type="checkbox"/> Secondary Developing <input type="checkbox"/> Rural	
11. If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications." Any previous applicants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
12. Present Zoning: MR	13. Proposed Zoning: MR-RPC
14. Present Use: Agricultural/Open	15. Proposed Use: Residential
16. If known, please list the historical and former uses of the property , and any known use of chemicals or hazardous substances: Agricultural	
17. Comprehensive Plan recommendation: If in the County, which area, according to their comprehensive plan, is the project located in: New Castle <input type="checkbox"/> Kent <input type="checkbox"/> Sussex <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Inside growth zone <input type="checkbox"/> Town Center <input type="checkbox"/> Suburban reserve <input type="checkbox"/> Outside growth zone <input type="checkbox"/> Developing <input type="checkbox"/> Other <input type="checkbox"/> Environ. Sensitive Dev. District <input checked="" type="checkbox"/> Low Density <input type="checkbox"/>	
18. Water: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: Tidewater Utilities, Inc. What is the estimated water demand for this project? 18,000 G.PD (72 Units x 250 G.PD) How will this demand be met? Extension of Existing Tidewater Utility Facilities	
19. Wastewater: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: Sussex County – Holts Landing Sewer District	
20. If a site plan please indicate gross floor area square footage: N/A	
21. If a subdivision: <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Mixed Use	
22. If residential, indicated the number of Lots/units: 72 Gross Density of Project: 0.91 Net Density 4.45 Gross density should include wetlands and net density should exclude wetlands, roads, easements, etc..	

23. If residential, please indicate the following:

Number of renter-occupied units: **0**

Number of owner-occupied units: **72**

Target Population (check all that apply):

Renter-occupied units

☐ Family

☐ Active Adult (check only if entire project is restricted to persons over 55)

Owner-occupied units

☐ First-time homebuyer – if checked, how many units

☒ Move-up buyer – if checked, how many units

☒ Second home buyer – if checked, how many units

☐ Active Adult (Check only if entire project is restricted to persons over 55)

24. Present Use: % of Impervious Surfaces: **0**
Square Feet: **0**

Proposed Use: % of Impervious Surfaces: **9.4%**
Square Feet: **326,000+/- Square Feet**

25. What are the environmental impacts this project will have? **None**

How much forest land is presently on-site? **3.67 Acres** How much forest land will be removed? **10,800+/- Square Feet***
***Majority of onsite woods are along access roadway**

Are there known rare, threatened, or endangered species on-site? ☐ Yes ☒ No

Is the site in a sourcewater (for example, an excellent groundwater recharge) protection area? ☐ Yes ☒ No

Does it have the potential to impact a sourcewater protection area? ☐ Yes ☒ No

26. Is any portion of construction located in a Special Flood Hazard Area as defined by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM)? ☒ Yes ☐ No

Will this project contribute more rainwater runoff to flood hazard areas than prior to development? ☒ Yes ☐ No If "Yes," please include this information on the site map. **Increased runoff will go directly to Indian River Bay**

27. Are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? ☒ Yes ☐ No

Are the wetlands: ☒ Tidal **Acres 59.14**
☒ Non-tidal **Acres 5.83**

If "Yes", have the wetlands been delineated? ☒ Yes ☐ No

Has the Army Corp of Engineers signed off on the delineation? ☐ Yes ☒ No

Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? ☒ Yes ☐ No If "Yes", describe the impacts: We anticipate the need for a Tidal Wetlands permit to construct the entry bridge

Will there be ground disturbance within 100 feet of wetlands ☒ Yes ☐ No

28. Are there streams, lakes, or other natural water bodies on the site? ☐ Yes ☒ No

If the water body is a stream, is it: ☐ Perennial (permanent) ☐ Intermittent ☐ Ephemeral (Seasonal)

If "Yes", have the water bodies been identified? ☐ Yes ☐ No

Will there be ground disturbance within 100 feet of the water bodies ☐ Yes ☒ No If "Yes", please describe :

<p>29. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please list name:</p>
<p>30. List the proposed method(s) of stormwater management for the site: Quantity controls are not required since site drains directly into tidal waters. Quality controls will be provided via sand filters, bio-filtration swales, etc.</p> <p>Define the anticipated outlet location(s) for stormwater generated by the site (for example, perennial stream, tax ditch, roadside swale, storm drain system, infiltration, etc.): Sheet flow to tidal marsh</p> <p>Will development of the proposed site create or worsen flooding upstream or downstream of the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>31. Is open space proposed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," how much? 62.78 Acres 2,734,700 Square Feet</p> <p>What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? Preservation</p> <p>Where is the open space located? Around the perimeter of the site</p> <p>Are you considering dedicating any land for community use (e.g., police, fire, school)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>32. Does it border existing natural habitat or preserved (for example, an agricultural preservation district or protected State Resource Area) land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," what are they?</p>
<p>33. Is any developer funding for infrastructure improvement anticipated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," what are they?</p>
<p>34. Are any environmental mitigation measures included or anticipated with this project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Acres on-site that will be permanently protected 62.78+/- Acres</p> <p>Acres on-site that will be restored N/A</p> <p>Acres of required wetland mitigation N/A</p> <p>Stormwater, erosion and sediment control, and construction best management practices (BMPs) that will be employed Perimeter controls through construction; sand filters and/or bio-filtration swales during and after construction</p> <p>Buffers from wetlands, streams, lakes, and other natural water bodies Yes</p>
<p>35. Has any consideration been given to nuisance species (for example, mosquitoes or Canada geese)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>36. Will this project generate additional traffic? <input checked="" type="checkbox"/> Yes * <input type="checkbox"/> No *However, proposed development is less than that allowed by current zoning</p> <p>How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume the peak season 690 (345 entering, 345 exiting)</p> <p>What percentage of those trips will be trucks, excluding vans and pick-up trucks? Less than 1%</p>

<p>37. If the project will connect to public roads, please specify the number and location of those connections. Please describe those roads in terms of number of lanes, width (in feet) of the lanes and any shoulders. Will this project connect to public roads? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Project will connect to Tuckahoe Road/Walter's Bluff Road at one point. Please describe the road in front of the development: Lanes 2; width 20'+/-; shoulders. Asphalt</p>
<p>38. Is any of the project's road frontage subject to the Corridor Capacity Preservation Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>39. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections. What potential is there to connect this project to existing or future development on adjacent lands? There are several places where an interconnection could occur, and we are willing to discuss options.</p>
<p>40. Are there existing or proposed sidewalks? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No; bike paths <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is there an opportunity to connect to a larger bike/pedestrian network? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>41. Is this site in the vicinity of any known historic/cultural resources or sites <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Existing cemetery onsite Has this site been evaluated for historic and/or cultural resources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Will this project affect, physically or visually, any historic or cultural resources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," please indicate what will be affected (Check all that apply) <input type="checkbox"/> Buildings/Structures (house, barn, bridge, etc.) <input type="checkbox"/> Sites (archaeological) <input type="checkbox"/> Cemetery Would you be open to a site evaluation by the State Historic Preservation Office? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Contract already occurred</p>
<p>42. Are any federal permits, licensing, or funding anticipated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>43. How are you coordinating with other public/private projects in your area? To the best of our knowledge, there are no other proposed projects in the area Are you willing to discuss interconnectivity? Yes</p>
<p>44. Will this project generate any solid waste or require any special permits within State agencies to the best of your knowledge? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please List them:</p>
<p>45. Please make note of the time-line for this project: Zoning submission to Sussex County will occur following PLUS. Construction is expected to commence after all necessary approvals are received.</p>
<p>I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>_____ Signature of property owner or contract buyer</p> <p>_____ Signature of Person completing form (If different than property owner)</p> </div> <div style="width: 45%;"> <p>_____ Date</p> <p>_____ Date</p> </div> </div>

This form should be returned to the Office of State Planning electronically at Dorothy.morris@state.de.us **along with an electronic copy of any site plans and development plans for this site.** Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. A signed copy should be forwarded to the Office of State Planning, 540 S. DuPont Highway, Ste. 7, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. **Please be sure to note the contact person** so we may schedule your request in a timely manner.

RiverView

Project Summary

The Riverview property is currently zoned MR Medium-Density Residential permitting single family detached homes on 10,000 square foot lots. The project, if approved, will be developed as a Medium Density Residential Planned Community (MR-RPC) with no change of zone proposed, only the application of the Residential Planned Community Overlay District in order to allow the construction of single family detached homes in a condominium ownership regime rather than fee simple lots. The allowed density as proposed is 72.39 dwelling units and the proposed density is 72 homes.

Riverview is located near the end of and on the east side of Walter's Bluff Road in Sussex County, Delaware. The 79.43 acre site is designated as Medium Density within the Environmentally Sensitive Developing Area according to the Sussex County Comprehensive Plan dated January, 2003 wherein a density of 4 dwelling units per acre is encouraged. A team of design, engineering, soils, traffic and environmental professionals, among others, have worked diligently inventorying and analyzing the site and surroundings in an effort to create a neighborhood plan that respects the existing environment while "fitting" appropriately within the existing surrounding community. Opportunities and limitations affecting the natural environment were cataloged and a community concept respecting the setting was conceived. The concept for Riverview focuses on preserving and protecting important natural and cultural features of the site while providing a unique sense of place and neighborhood.

The 72 homes will be constructed over a three year period. The initial phase will include the dramatic bridge entrance leading to the clustered homes and neighborhood recreation facility. The neighborhood recreation facility will include swimming, community meeting space, exercise room, post office, and library.

The neighborhood plan for Riverview is organized within the 16.18 acre upland portion of the site that is currently farmed. Much of the remainder of the site is composed of tidal wetlands associated with the Indian River Bay with a small amount of 404 wetlands along the fringe of the tidal wetlands. No wetlands filling is propose nor Federal permit required.

Access to the site is limited by the configuration of the property and must be provided by a raised "bridge" for which no Federal permit is required in order to avoid damaging wetlands impacts though a State Tidal Wetlands permit may be required. The bridge will be designed to support all fire and emergency equipment as well as construction and delivery trucks and equipment together with safe pedestrian access. The bridge will be well lighted and will provide a dramatic and environmentally sensitive means of access to the neighborhood.

The storm water management system for the site will be an interrelated set of swales, biofiltration trenches, underground sand filters, permeable pavement and the like that, together with carefully crafted conservation design and nutrient management techniques monitored by the home owner's association and state of the art best management practices, yield a reduction of nutrient loading of approximately 40%.

Riverview will be served by public water and sewer. A high quality, reliable source of potable drinking water and fire protection service will be provided by Tidewater Utilities. Public sewer will be designed and constructed in accordance with Sussex County standards including off-site sewer improvements

which will be installed within the public roads system and will serve numerous other properties thus providing a substantial public benefit.

The street system has been designed and will be constructed to Sussex County Standards and will remain private with maintenance provided by the home owner's association. A unified street and site signage, lighting and landscaping system has been incorporated into the plan.

In summary, the small neighborhood of Riverview has been planned in a manner that will "fit" sensitively within the surrounding community providing a recognizable sense of place and neighborhood for its residents while, at the same time, providing economic, cultural and environmental benefits to the community at large.

RiverView

Environmental Assessment and Public Facility Evaluation Report

In accordance with the recently adopted Sussex County Environmentally Sensitive District Overlay Zone Ordinance, this Environmental Assessment and Public Facility Evaluation Report has been prepared to define the design parameters, and potential impacts, of the proposed Riverview Residential Planned Community.

General Overview:

Riverview is a proposed Residential Planned Community located within the Environmentally Sensitive Development District on the south side of the Indian River Bay, bordered by Collins Creek to the southeast and the Indian River Bay on the north. Utilizing the existing Medium Density (MR) zoning, the proposed RPC overlay will allow for the grouping of seventy-two (72) homes assembled in groups not exceeding four units per group to be nestled into the existing agricultural field on the site. Grouping the homes in this manner allows the homes to maintain a self-imposed ten-foot (10') separation from the field delineated Section 404 wetlands, which were delineated by Environmental Resources, Inc., in late 2003, and a minimum 50-foot separation from the State Tidal Wetlands as derived from the State Wetland Maps. The proposed clustering results in a proposed development program which preserves over 59 acres of Federal and State Wetlands.

Due to the unusual configuration of the land, access to the site must cross Federal and State wetlands. However, to minimize disturbance to these areas, a timber bridge will be constructed with a minimum deck elevation of 8-feet so that it is above the FEMA 100-year floodplain. To further reduce wetland disturbance, the bridge will be constructed incrementally, beginning in the upland area, with each new section being constructed with the equipment resting on the previous section. By utilizing this method of bridge construction, no Federal wetland permits will be required, and only a State of Delaware Tidal Wetlands Permit will be required.

Drainage and Stormwater Runoff:

The Riverview development is surrounded by tidally influenced marshland, thereby creating a direct tidal connection from the proposed stormwater management facilities. As such, management of stormwater runoff *quantity* is not required since there are no concerns to downstream damage due to the potential for additional runoff generated from increased impervious surfaces.

Stormwater *quality* will be addressed through the use of a combination of sand filters and / or bio-filtration swales (or other DNREC approved methodology) such that the proposed development results in a net decrease in nutrient (as measured in nitrogen and phosphorus content) loadings to the adjacent Indian River Bay, when compared to the existing row-crop agricultural use of the existing site, of at least 40-percent. This reduction is mandated by Articles 4 and 5 of the DNREC, Total Maximum Daily Loads (TMDLs) for Indian River, Indian River Bay, and Rehoboth Bay, Delaware, Secretary's Order No. 98-W-0044, as issued November 6, 1998.

Potable Water:

The Riverview site lies within the service area of Tidewater Utilities, Inc. Potable water, including both domestic and fire flows, will be provided through an extension of existing Tidewater Utility, Inc., service lines in the vicinity of the site. Based upon an average water consumption of a single family detached home of 250 gallons per day (GPD), the proposed 72-unit River View development may be anticipated to consume approximately 18,000 GPD. As this site is to be served by extensions of existing Tidewater Utilities, Inc., facilities, no impact to the surrounding private wells are anticipated.

Wastewater Treatment and Disposal:

The Riverview site lies within the study area of the Sussex County Holts Landing Sanitary Sewer District, and the site is anticipated to be served through an extension of existing Sussex County sewer infrastructure. All wastewater is ultimately anticipated to be treated and disposed of at the Sussex County South Coastal Wastewater Treatment Facility just south of Ocean View, Delaware. As this site is anticipated to be served by extensions of existing Sussex County facilities, and no wastewater will be treated or disposed of onsite, no impacts to the surrounding surface or ground waters are expected.

Impacts to Surrounding Roadways:

The proposed Riverview development is proposed to contain 72 single family detached homes. The plan has been reviewed by the Delaware Department of Transportation, and they have determined that the proposed development does not warrant a Traffic Impact Study (see attachment A).

Based upon the latest Institute of Transportation Engineers Traffic Generation Manual, a single family home is anticipated to generate approximately 9.56 vehicle trips per day (1/2 entering the site, 1/2 leaving the site), or approximately 689 vehicle trips per day (345 entering, 345 leaving). However, as most of the proposed homes are anticipated to be second homes for their purchasers, the actual vehicles per day will most likely be less. In addition, several different roadways act as feeders to the site, including Holts Landing Road (which runs east-west and has one end located approximately 5.5-miles west of Route 1) and will further reduce any impacts the proposed development will have on the surrounding roadways.

Endangered or Threatened Species:

The Riverview development site is currently comprised of an agricultural field surrounded by tidal marshlands and a small amount of upland woods. Requests were made to the State of Delaware Natural Heritage Program and the US Fish and Wildlife Service in November 2001, and their responses (State dated 12/19/2001, and USFWS dated 1/30/2002) indicating that there were no endangered or threatened species expected to be on, or near, the site are attached (see attachment B).

In an effort to determine if there were any changes to the records of either of these two agencies, requests were submitted by Environmental Resources, Inc., on April 23, 2004, to both agencies for an update of their earlier responses. To date, no responses have been received. However, based on a field reconnaissance by Environmental Resources, Inc., in early 2004, no indications of endangered or threatened species were observed, or are anticipated.

Preservation and Protection of Tidal and Non-Tidal Wetlands:

As previously stated, the proposed Riverview development has been designed in a manner which will allow for the preservation of over 59 acres of onsite tidal and non-tidal regulated wetlands. The only proposed impacts to regulated wetlands will be as a result of the proposed timber bridge required to access the site. It is important to note that access to the site is limited to a single 50-foot wide access way, as is clearly shown on the proposed development plan, which requires the crossing of both tidal and non-tidal wetlands. No alternative exists which would afford access the uplands portion of the site.

Open Space and Buffers:

The proposed Riverview development has been designed to allow for the preservation of over 59 acres of tidal and non-tidal wetlands. In addition, the clustering technique utilized has created additional onsite areas which may be used by the homeowners for passive recreation, and will aid in filtering stormwater runoff. All onsite forested lands, except for the area in the immediate vicinity of the proposed access timber bridge, will also be preserved. In addition, the proposed Riverview development has been designed utilizing a self-imposed 10-foot buffer from the onsite non-tidal wetlands to any proposed dwelling.

Proposed Public and Private Infrastructure:

As part of the proposed Riverview development, public water and wastewater facilities will be extended to the site. As part of these extensions, many additional Sussex County properties will be afforded the opportunity to connect to central water and wastewater networks. In particular, through the extension of Sussex County sewer facilities to the site, many other properties will connect to the central sewer system, and will therefore eliminate their current onsite wastewater disposal systems, which will aid in the

improvement of the quality of the surrounding groundwater, as well as the Indian River Bay.

Economic Benefit:

The proposed Riverview development is anticipated to benefit the local and state economies in many ways, including: 1) the extension of public water and sewer facilities from their current locations to the site will result in the possibility of other property owners connecting to the systems at a much reduced cost, 2) the extension of public sewer facilities will assist in reducing the nutrient loadings of the adjacent Inland Bays, which will result in the improved quality, and therefore their increased enjoyment by both locals and vacationers, 3) the development is anticipated to increase the tax base of Sussex County.

Recreational Benefits:

As part of the development of the Riverview development, an onsite community center and pool are proposed. This facility is intended to serve the residents of the development, and will act to reduce the dependence on other local recreational facilities. In addition, a pedestrian access-way is also proposed to access the existing sandy beach area located along the eastern-most portion of the site.

Actions Taken to Mitigate Proposed Impacts of the Development:

The proposed Riverview development is not anticipated to produce any negative impacts to the environment or on its surrounding community. However, the following items are important to note: 1) an onsite community center and pool has been proposed for the use and enjoyment of the residents, 2) the existing onsite cemetery has been preserved, and adjacent parking spaces will afford relatives a convenient place to park while visiting their family members, 3) provisions will be included in the governance documents of the community that ensure that the existing cemetery will be properly maintained, and that the existing overgrown be removed so that the cemetery may be accessed, 4) the access bridge to the community will be designed to accommodate an H20 wheel load, which is sufficient to support a fire truck and construction activity, and will be installed in such a manner as to avoid undue disturbance to the underlying areas, 5) public infrastructure will be extended to the site, and will be designed to allow others to connect, thereby reducing the areas dependence on onsite facilities which will assist in improving the water quality of the Inland Bays.

RiverView

Affirmation of Conformance with Sussex County Comprehensive Plan

Land Use Element

The 79.43 acre site is designated as Medium Density within the **Environmentally Sensitive Developing Area** according to the Sussex County Comprehensive Plan dated January, 2003. Additionally, the current zoning of the property is MR Medium Density Residential which would allow 10,000 square foot lots “by right” or 4.35 dwelling units per acre. With a gross area of 79.43 acres and a 10% open space requirement, the allowable density would be 311 dwelling units.

The **purpose** of the Environmentally Sensitive Developing Area as stated in the Sussex County Comprehensive Plan is to protect the Inland Bays from insensitive development in particular with regard to controlling “the density of development, preserve open space and valuable habitat and to prevent excessive levels of sediments and nutrients in waterways”. As demonstrated by the plan and the information presented above, the neighborhood plan has limited the gross density to 72 homes or .91 dwellings units per acre while preserving the culturally and environmentally sensitive areas of the site and reducing post-development nutrient loads to lower levels than that produced by the existing agricultural use.

In **Guidelines for Infrastructure**, the Comprehensive Plan states that “Extension of wastewater systems in this area to serve failing on-site systems and new development will protect the Inland Bays from excessive amounts of nutrients”. The proposed plan for Riverview includes both an on-site Sussex County Ordinance 38 sanitary sewer system as well as extensive off-site sewer trunk lines to transmit sewerage to County treatment facilities. The off-site system will be designed in accordance with Sussex County’s Holt’s Landing Planning Area Infrastructure Plan and will serve numerous other properties.

The **Guidelines for Housing Types** section states that “housing types approved in the Environmentally Sensitive District include single family detached homes”, etc. The proposed homes for Riverview are single family detached, thus in conformance with the Comprehensive Plan.

In the **Guidelines for Density** section, the Comprehensive Plan suggests that the County enact an ordinance requiring that “major developments” provide the information contained in this Report. Additionally, “when a central wastewater system is provided, residential density would be permitted up to the maximum allowable density of the underlying zoning district”. The maximum allowable density for this MR zoned site is 4.35 gross dwelling units per acre or 311 dwelling units; the maximum allowable density for the site with the RPC Overlay District imposed is .91 net dwelling units per acre or 72 homes. The proposed density for the site is .91 dwelling units per acre or 72 homes and is, thus, in conformance with the Sussex County Comprehensive Plan.

Mobility Element

Conformity with regard to the Mobility Element of the Comprehensive Plan lies in the fact that the site is not in an identified “Problem Area”, the roadway and bridge system provides pedestrian and bicycle access from the site to Walter’s Bluff Road, the project contains on-site recreational amenities acting to reduce traffic generation to and from the site and, finally, because the proposed density is far lower than that allowed by the underlying zoning, the trip generation is very low (approximately 690 trips per day) thus, Del Dot required no traffic impact study.

Water and Wastewater Element

As stated above, potable water is being provided by Tidewater Utilities, Inc. and wastewater disposal via Sussex County. As such the project is in conformance with this element of the Comprehensive Plan.

Conservation Element

Several key factors establish Riverview’s conformity to this element of the plan:

- Forest/vegetated buffers are provided between the proposed community and adjacent farm land as suggested by the Comprehensive Plan and required by Ordinance.
- A 50’ buffer from tidal wetlands has been provided as required by Ordinance.
- No 404 wetlands impacts requiring a permit have been proposed.
- All tidal wetlands impacts related to the bridge have been minimized to the greatest extent possible given the boundaries of the property available and will be appropriately permitted.
- The new community will be tied into the County sewerage treatment facilities per the Comprehensive Plan Action Plans tactics.
- No endangered species have been identified on the property by any agency governing same.
- Nitrogen and phosphorous will be reduced to required post-development levels by virtue of on-site storm water management facilities and Best Management Practices.

Recreation & Open Space Element

Riverview conforms to this element of the Comprehensive Plan by virtue of certain points made in the Recreation and Open Space Growth Management Strategies section:

- Though this is a small scale project, on-site active and passive recreational opportunities have been provided.
- The “development and maintenance of recreation and open space opportunities for resident and visitor enjoyment, and economic growth, in a manner that ensures environmental conservation” has been accomplished for the communities’ residents and their visitors with the on-site amenities and preservation of tidal and non-tidal wetlands.
- Cultural opportunity for residents and their visitors are provided in the form of clean-up and improvement of the existing cemetery including the state structured study to determine its outermost boundaries. In addition, the community has been designed in such a way as to provide convenient and sensitive access to the cemetery rather than turning the communities’ back on it.

Housing Element

The Housing Element encourages mixed-use cluster development where public water and wastewater systems are provided. While a community of this small size cannot support a mix of uses, i.e. commercial, by virtue of the application of the RPC District requirements, the proposed development is, in effect, a cluster development situated on the available uplands area of the site thus conforming to this element of the Comprehensive Plan.

Community Design Element

Riverview achieves conformance with this element of the Comprehensive Plan through the use of the number of the Plan's Community Design Growth Management Strategies:

- The community has been designed in such a way as to provide a flexible plan that integrates conservation of open space and the natural environment with a mix of single family detached home types and recreational and cultural opportunities on a very small site.
- The organization of the neighborhood promotes neighborly interaction and results in a sense of community.
- The community design accommodates vehicular circulation and parking character and promotes community interaction and cohesion through a pedestrian friendly development pattern particularly tied to the small size of the community.
- By providing adequate off-site sewer necessary to support the community while allowing other existing communities and properties access to the sewer, a sustainable community is achieved and the overall nutrient loading associated with existing septic systems will be reduced.

Historic Preservation Element

Historic preservation issues are related solely to the preservation of the existing family cemetery located on the project site. As mentioned above, the appropriate study is underway to properly determine the outermost limits of the cemetery. It will be cleaned up and preserved in place and made easily accessible for viewing.

Economic Development

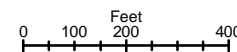
There is little in the Economic Development Element of the Comprehensive Plan that applies to a small neighborhood such as Riverview. However, the following economic benefits will be derived from the development of this community that are generally in line with the Economic Development Growth Strategies:

- Land development and home building activities generate jobs.
- Transfer of the property to the developer and homes to the home buyer generate transfer and property taxes.
- The local and state economies benefit as follows:
- Extension of public water and sewer to the site will allow connection by other existing properties at a much reduced cost.
- Reduction of nutrient loading to the Inland Bay as a result of the extension of sanitary sewer to the site and on-site storm water management and best management practices will result in improved water quality and, therefore, increased enjoyment by residents and visitors alike.

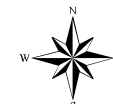
Preliminary Land Use Service (PLUS)

Riverview
2004-05-12

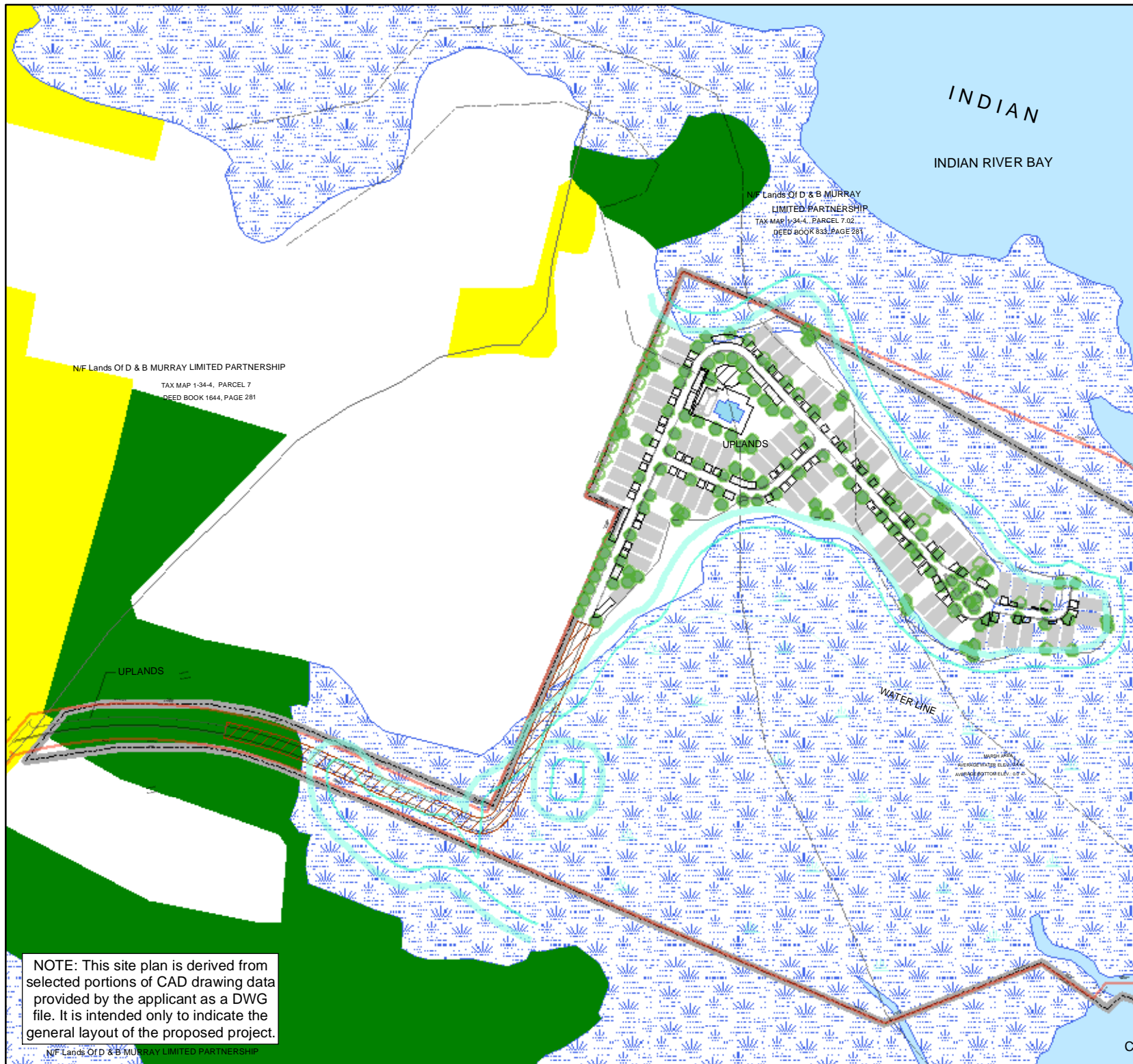
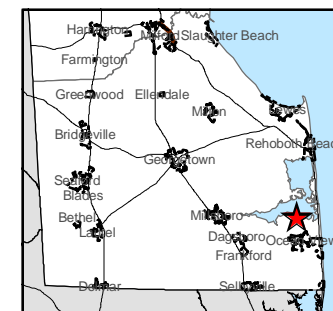
-  Project Area
- 2002 Land Use/Land Cover**
-  Residential
 -  Commercial/Urban
 -  Industrial
 -  Trans./Comm./Utilities
 -  Institutional/Governmental
 -  Recreational
 -  Agriculture
 -  Scrub/Clear Cut
 -  Forest
 -  Water
 -  Wetlands/Wet Woods
 -  Beach/Sandy Area
 -  Extraction/Transition



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



NOTE: This site plan is derived from selected portions of CAD drawing data provided by the applicant as a DWG file. It is intended only to indicate the general layout of the proposed project.

N/F Lands Of D & B MURRAY LIMITED PARTNERSHIP

Preliminary Land Use Service (PLUS)

Riverview
2004-05-12

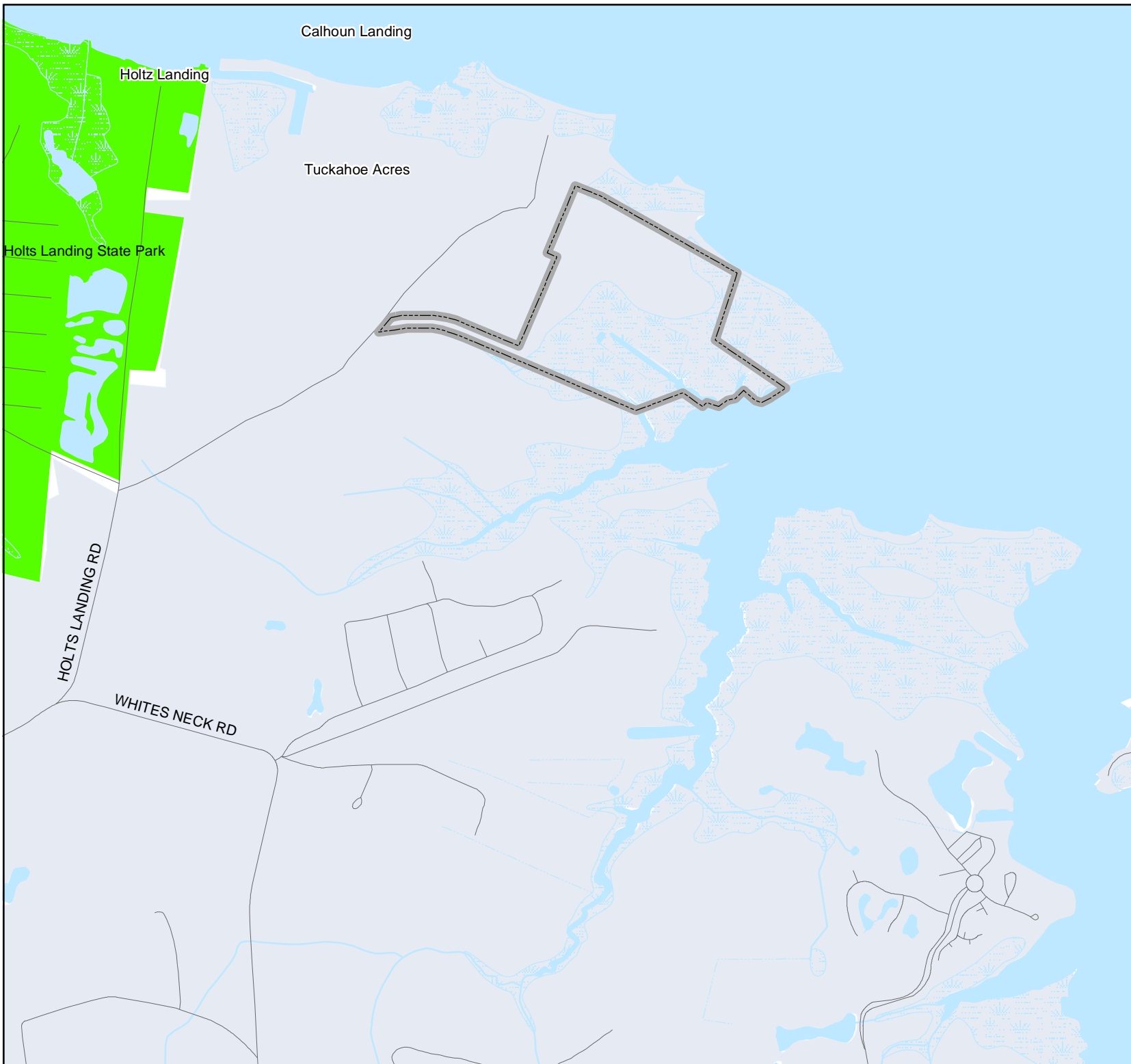
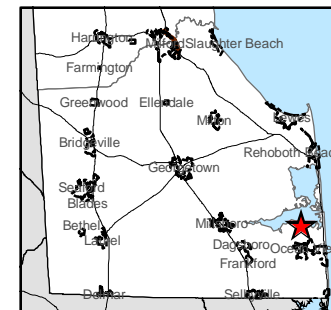
-  Project Area
-  Municipalities
-  Public-Owned
-  Ag District
-  Purchased Dev. Rights
- State Strategy Level**
-  Community
-  Developing Area
-  Secondary
-  Sensitive
-  Rural



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Preliminary Land Use Service (PLUS)

Riverview
2004-05-12

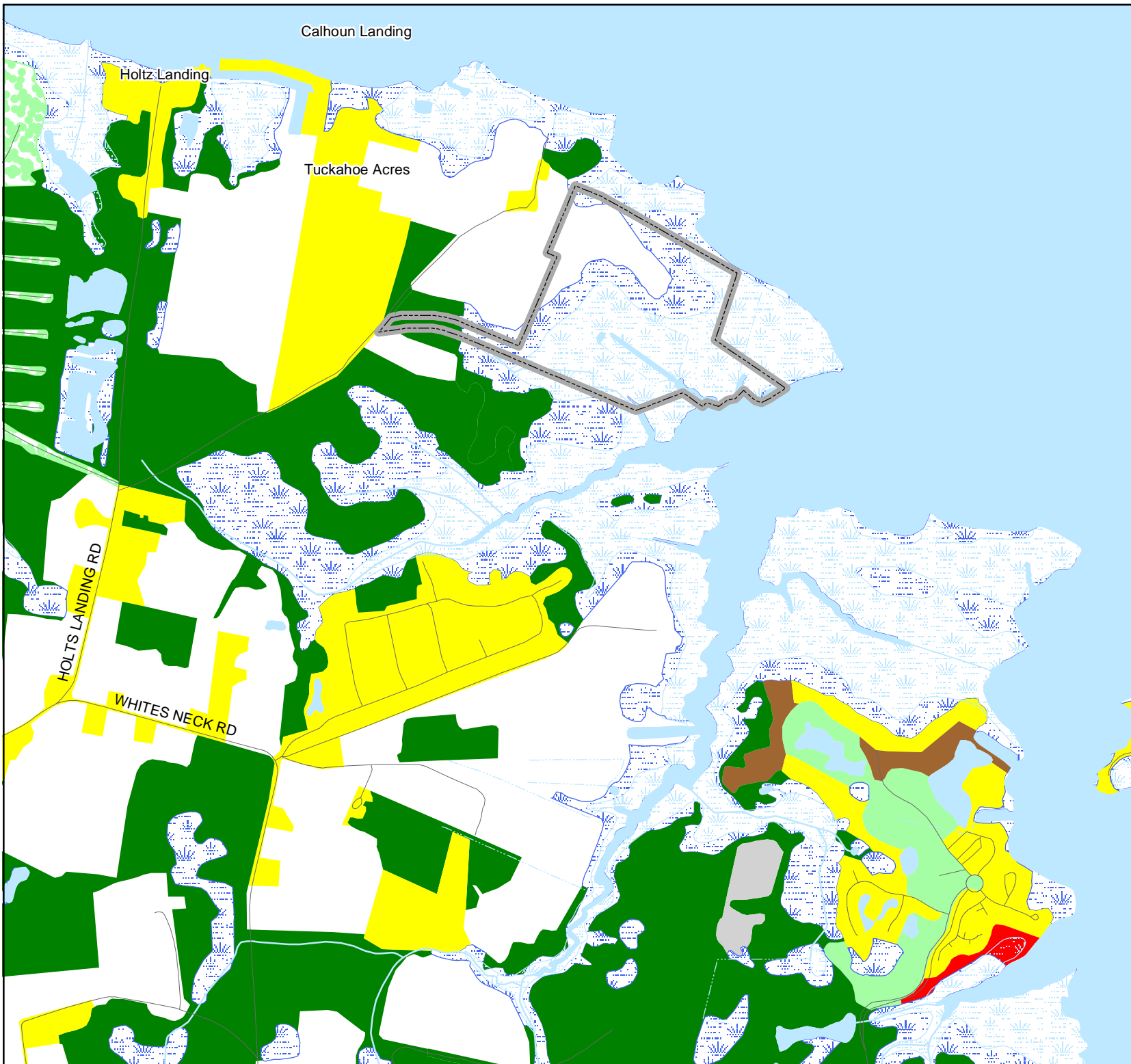
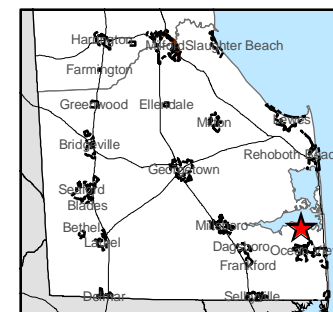
-  Project Area
-  Municipalities
- 2002 Land Use/Land Cover**
-  Residential
-  Commercial/Urban
-  Industrial
-  Trans./Comm./Utilities
-  Institutional/Governmental
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1:15,000



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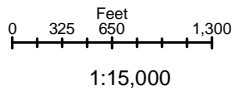


Preliminary Land Use Service (PLUS)

Riverview
2004-05-12

2002 False-Color
InfraRed Orthophotography

- Project Area
- Municipalities



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